

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

CIVIL ACTION NO. 2:10-1406

\$599,274.58, MORE OR LESS,
IN UNITED STATES CURRENCY,

Defendant.

CLAIM OF DIANE E. SHAFER, M.D.

COMES NOW Diane E. Shafer, M.D., by and through counsel, Dwane L. Tinsley, and hereby files a claim contesting the forfeiture of property, pursuant to Rule G(5)(a) of the Supplemental Rules for Certain Admiralty and Maritime Claims, namely United States currency, more or less, in the amount of \$599,274.58, specifically listed below:

1. That \$302,700.00, more or less (CATS No. 10-FBI-001707), in United States currency was seized from two safe deposit boxes at Branch Banking & Trust (BB&T), 250 Second Avenue, Williamson, West Virginia, that is from Safe Deposit Box No. 788, leased in the names of "Diane E. Shafer and Sara T. Shafer," containing United States currency totaling \$36,250.00, more or less, and from Box No. 842, leased in the names of Diane Shafer, Sara Ann Shafer, and Joyce Vinson, deceased," containing United States currency totaling \$266,450.00, more or less, pursuant to a federal search warrant executed on or about January 15, 2010.

2. That \$17,546.13, more or less (CATS No. 10-FBI-001733), constituting the balance of Account No. XXXXXX4279, Branch Banking & Trust (BB&T), 250 Second Avenue,

Williamson, West Virginia, in the names of “Diane Shafer and Sara T. Shafer,” pursuant to a federal seizure warrant executed on or about January 15, 2010.

3. That \$72,541.03, more or less (CATS No. 10-FBI-001851), constituting the balance of Account No. XXXXXX6061, BB&T, Williamson, West Virginia, in the name of “Diane Shafer,” pursuant to a federal seizure warrant executed on or about January 15, 2010.

4. That \$52,557.46, more or less (CATS No. 10-FBI-002616), constituting the balance of Certificate of Deposit Account No. XXXXXX8611, BB&T, Williamson, West Virginia, in the name of “Diane Shafer,” pursuant to a federal seizure warrant executed on or about January 15, 2010.

5. That \$34,065.96, more or less, in United States Currency (CATS No. 10-FBI-001980), constituting the balance of Account No. XXXXXX1820, BB&T, Williamson, West Virginia, in the names of “Diane Shafer and Kevin R. Maynard,” pursuant to a federal seizure warrant executed on or about January 15, 2010.

6. That \$94,579.00, more or less, in United States Currency (CATS No. 10-FBI-002639), constituting \$90,830.00, more or less, found in a bedroom and \$3,749.00, more or less, found on the first floor of the residence of Diane E. Shafer, 110 West Second Avenue, Williamson, Mingo County, West Virginia, during the execution of a search warrant on the same residence on or about March 2, 2010.

7. That 25,285.00, more or less, in United States currency (CATS No. 10-FBI-002641), seized on March 2, 2010, from the office of Diane E. Shafer, M.D., 114 West Second Avenue, Williamson, Mingo County, West Virginia, during the execution of a federal search warrant.

8. That the above-mentioned United States currency seized was the property of Diane E. Shafer, M.D., and that said currency was not obtained by Diane E. Shafer, M.D., in violation of any federal criminal laws.

WHEREFORE, Diane E. Shafer, M.D., hereby files a claim contesting the forfeiture of property listed above and respectfully requests that said property be returned to her.

Respectfully submitted,

DIANE E. SHAFER, M.D.,

By Counsel,

/s/ Dwane L. Tinsley, Esquire
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CERTIFICATE OF SERVICE

I hereby certify that on January 19, 2011, I served the foregoing **Claim Of Diane E. Shafer, M.D.** with the Court using CM/ECF which will automatically serve all electronic filers, as well as by U.S. Mail, to the following:

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Assistant United States Attorney
United States Attorney
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/s/ Dwane L. Tinsley, Esquire
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